IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

| UNITED STATES OF AMERICA |)) 8:08MJ237 |
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| Plaintiff, |) 0.00WJ237) |
| vs. |) DETENTION ORDER |
| JERRY LYNN SIMONS, | |
| Defendant. | , |
| A. Order For Detention After waiving a detention hear Act on December 8, 2008, th pursuant to 18 U.S.C. § 3142(| ring pursuant to 18 U.S.C. § 3142(f) of the Bail Reform the Court orders the above-named defendant detained (e) and (i). |
| X By a preponderance conditions will reasonab X By clear and convincing | The Detention nt's detention because it finds: of the evidence that no condition or combination of oly assure the appearance of the defendant as required. If evidence that no condition or combination of conditions the safety of any other person or the community. |
| which was contained in the Pr X (1) Nature and circums X (a) The crime: Nebraska in sentence of (b) The offense (c) The offense (d) The offense (d) The offense (e) The weight of the offense (f) The weight of the offense (g) The history and che offense (g) The history and che offense (g) The weight of the offense (g) The weight of the offense (g) The weight of the offense (g) The | e defendant appears to have a mental condition which y affect whether the defendant will appear. e defendant has no family ties in the area. e defendant has no steady employment. e defendant has no substantial financial resources. e defendant is not a long time resident of the community. e defendant does not have any significant community is conduct of the defendant: e defendant has a history relating to drug abuse. E defendant has a history relating to alcohol abuse. E defendant has a significant prior criminal record. E defendant has a prior record of failure to appear at a lart proceedings. |
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| DETENTION | ORDER - | - Page | 2 |
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| | | Release pending trial, sentence, appeal or completion of |
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| | | sentence. |
| (c) | Other Fa | actors: |
| , | | The defendant is an illegal alien and is subject to deportation. |
| | | The defendant is a legal alien and will be subject to deportation if convicted. |
| | | The Bureau of Immigration and Custom Enforcement (BICE) has placed a detainer with the U.S. Marshal. |
| | | Other: |
| | | nd seriousness of the danger posed by the defendant's follows: the defendant's criminal history and his failure to |
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D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

abide by previous conditions of release.

- The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: December 8, 2008. BY THE COURT:

s/Thomas D. Thalken United States Magistrate Judge